

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

RAYMOND O'TOOLE, ILONA SPIEGEL, and  
STEVEN FARRELL, individually and on behalf of all  
others similarly situated,

Plaintiffs,

v.

ANDREW M. CUOMO, in his official capacity as  
Governor of the State of New York, NIRAV R.  
SHAH, in his official capacity as Commissioner of the  
New York State Department of Health, KRISTIN M.  
WOODLOCK, in her official capacity as Acting  
Commissioner of the New York State Office of  
Mental Health, THE NEW YORK STATE  
DEPARTMENT OF HEALTH, and THE NEW  
YORK STATE OFFICE OF MENTAL HEALTH,

Defendants.

Index No. 13-cv-4166

**[REVISED ~~PROPOSED~~ ORDER**  
**APPROVING CLASS NOTICE**  
**AND SCHEDULING FAIRNESS**  
**HEARING**

UNITED STATES OF AMERICA,

Plaintiff,

v.

STATE OF NEW YORK,

Defendants.

Index No. 13-cv-4165

The parties' Notice of Proposed Changes to the Settlement Agreement and Fairness Hearing is APPROVED. A Fairness Hearing will be held before Judge Nicholas G. Garaufis on June 18, 2018, at 1:00 p.m., in Courtroom 4D, at United States District Courthouse, Brooklyn, New York.

Any Class Member shall have the right to appear and be heard at the Fairness Hearing or to submit a written objection to the Court, pursuant to the terms of the Notice of Proposed Changes to the Settlement Agreement and Fairness Hearing. All

class members who register to speak at the Fairness Hearing will be assigned and given a number by which they will be called. Class members may choose whether to identify themselves at the time that they speak or be identified solely by their assigned number. The names of class members who register to speak will be kept under seal by the Court.

IT IS SO ORDERED.

Dated: April 17, 2018  
Brooklyn, New York

s/Nicholas G. Garaufis

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NICHOLAS G. GARAUFIS  
United States District Judge